



Attorney Docket No. 463P065

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Masahiro Ohishi and Mitsuru Kanokogi**

Serial No.: 09/558,562

Examiner: **Thomas, Courtney D**

Filed: **April 26, 2000**

Art Unit: **2882**

For: **DISTANCE MEASURING SYSTEM**

Assistant Commissioner of Patents and Trademarks  
Washington, D.C. 20231  
Sir:


LETTER

The above-identified applicant enclose for filing a Request for filing a Continuing patent application entitled "**DISTANCE MEASURING SYSTEM**". Said attached Request for filing a Continuing patent application includes (1) Continued Prosecution Application (CPA) Request (2-Pages); (2) Petition for Extension of Time (1-Page); and (3) Fee Transmittal Form, together with a check in the amount of \$850.00 in payment of the filing fee and extension fee for one month.

All correspondence concerning this application should be mailed to:

**Kevin S. Lemack  
Niels & Lemack  
176 E. Main Street  
Westboro, Massachusetts 01581**

Respectfully submitted,

  
**Kevin S. Lemack  
Attorney for Applicants  
Registration No. 32,579**

Date: August 27, 2002

EXPRESS MAIL NO: EU057616205US

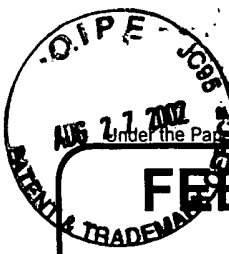
#8/Letter  
9.3.02

f moore

TECHNOLOGY CENTER 2800

AUG 29 2002

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ ) 850.00

## Complete if Known

Application Number	09/448,562
Filing Date	April 26, 2000
First Named Inventor	Masahiro Ohishi
Examiner Name	Thomas, Courtney D.
Group Art Unit	2882
Attorney Docket No.	463P065

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 14-0930  
Deposit Account Name: Nields & Lemack

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	740
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$ ) 740.00

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
5	-20** = 0	18	0
1	-3** = 0	84	0
Multiple Dependent		280	0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ ) 0

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
105 130	205 65	Surcharge - late filing fee or oath
127 50	227 25	Surcharge - late provisional filing fee or cover sheet
139 130	139 130	Non-English specification
147 2,520	147 2,520	For filing a request for ex parte reexamination
112 920*	112 920*	Requesting publication of SIR prior to Examiner action
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action
115 110	215 55	Extension for reply within first month
116 400	216 200	Extension for reply within second month
117 920	217 460	Extension for reply within third month
118 1,440	218 720	Extension for reply within fourth month
128 1,960	228 980	Extension for reply within fifth month
119 320	219 160	Notice of Appeal
120 320	220 160	Filing a brief in support of an appeal
121 280	221 140	Request for oral hearing
138 1,510	138 1,510	Petition to institute a public use proceeding
140 110	240 55	Petition to revive - unavoidable
141 1,280	241 640	Petition to revive - unintentional
142 1,280	242 640	Utility issue fee (or reissue)
143 460	243 230	Design issue fee
144 620	244 310	Plant issue fee
122 130	122 130	Petitions to the Commissioner
123 50	123 50	Processing fee under 37 CFR 1.17(q)
126 180	126 180	Submission of Information Disclosure Stmt
581 40	581 40	Recording each patent assignment per property (times number of properties)
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))
179 740	279 370	Request for Continued Examination (RCE)
169 900	169 900	Request for expedited examination of a design application

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 110.00

## SUBMITTED BY

Name (Print/Type): Kevin S. Lemack  
Signature: [Signature]

Registration No. (Attorney/Agent): 32,579

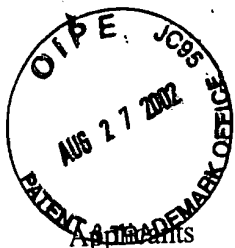
## Complete (if applicable)

Telephone: (508, 898-1818)

Date: August 27, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Masahiro Ohishi et al.  
Serial No. : 09/558,562  
Filed : April 26, 2000  
For : DISTANCE MEASURING SYSTEM  
Examiner : Thomas, Courtney D.  
Art Unit : 2882  
Attorney  
Docket No. : 463P065  
Type of paper : Letter

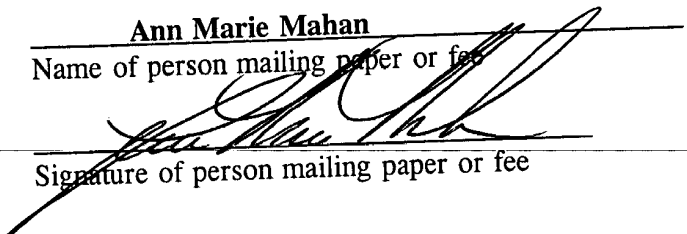
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"EXPRESS MAIL" MAILING LABEL NO. EU057616205US  
DATE OF DEPOSIT: August 27, 2002

I hereby certify that this patent application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Assistant Commissioner of Patents, **BOX: CPA**, Washington, D.C. 20231.

Ann Marie Mahan

Name of person mailing paper or fee

  
Signature of person mailing paper or fee



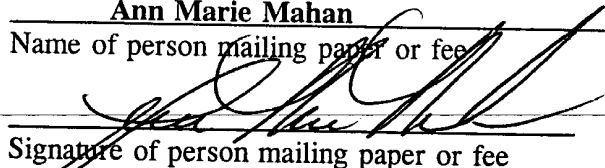
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Masahiro Ohishi et al.  
Serial No. : 09/558,562  
Filed : April 26, 2000  
For : DISTANCE MEASURING SYSTEM  
Examiner : Thomas, Courtney D.  
Art Unit : 2882  
Attorney  
Docket No. : 463P065  
Type of paper : Fee Transmittal Form, together with a check

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Ann Marie Mahan  
Name of person mailing paper or fee  
  
Signature of person mailing paper or fee

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

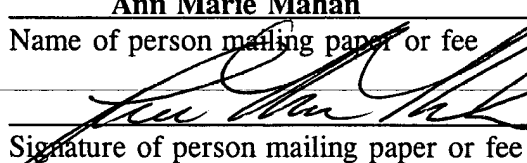
Applicants : Masahiro Ohishi et al.  
Serial No. : 09/558,562  
Filed : April 26, 2000  
For : DISTANCE MEASURING SYSTEM  
Examiner : Thomas, Courtney D.  
Art Unit : 2882  
Attorney :  
Docket No. : 463P065  
Type of paper : **Continued Prosecution Application (CPA)  
Request Transmittal Form**



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"EXPRESS MAIL" MAILING LABEL NO. **EU057616205US**  
DATE OF DEPOSIT: August 27, 2002

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Ann Marie Mahan  
Name of person mailing paper or fee  
  
Signature of person mailing paper or fee



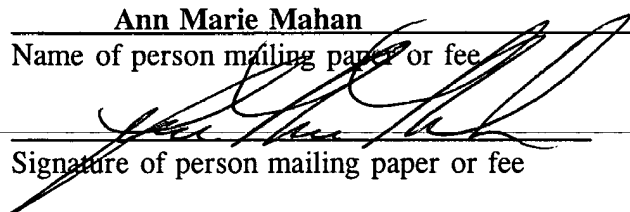
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Masahiro Ohishi et al.  
Serial No. : 09/558,562  
Filed : April 26, 2000  
For : DISTANCE MEASURING SYSTEM  
Examiner : Thomas, Courtney D.  
Art Unit : 2882  
Attorney  
Docket No. : 463P065  
Type of paper : **Petition for Extension of Time**

RECEIVED  
AUG 29 2002  
TECHNOLOGY CENTER 2800

"EXPRESS MAIL" MAILING LABEL NO. **EU057616205US**  
DATE OF DEPOSIT: August 27, 2002

I hereby certify that this patent application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Assistant Commissioner of Patents, **BOX: CPA**, Washington, D.C. 20231.

Ann Marie Mahan  
Name of person mailing paper or fee  
  
Signature of person mailing paper or fee

# CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:  
☐ DUPLICATE

C. Moore

Address to:

Assistant Commissioner for Patents  
Box CPA  
Washington, DC 20231

Attorney Docket No.  
of Prior Application

463P065

First Named Inventor

Masahiro Ohishi

Examiner Name

Thomas, Courtney D.

Group Art Unit

2882

Express Mail Label No.

EU057616205US

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),  
(continued prosecution application (CPA)) of prior application number 09 / 558,562,  
filed on April 26, 2000, entitled DISTANCE MEASURING SYSTEM

## NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

- ☒ Enter the unentered amendment previously filed on July 24, 2002 under 37-CFR 1.116 in the prior nonprovisional application.
- ☐ A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.58(d)(4).
  - ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:  
.....
  - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed:
  - ☐ PTO-1449
  - ☐ Copies of IDS Citations

[Page 1 of 2]

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c) or (j))		5 -20* =	0	x \$ 18.00 =	\$ 0
INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))		1 -3** =	0	x \$ 84.00 =	0
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				+ \$ 280.00 =	0
				BASIC FEE (37 CFR 1.16)	740.00
				Total of above Calculations =	740.00
Reduction by 50% for filing by small entity (Note 37 CFR 1.27).					-
* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.				TOTAL =	740.00

6. ☐ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to  
Deposit Account No. 14 - 0930:

a. ☒ Fees required under 37 CFR 1.16.

b. ☒ Fees required under 37 CFR 1.17.

c. ☐ Fees required under 37 CFR 1.18.

8. ☒ A check in the amount of \$ 740.00 is enclosed.

9. ☐ Payment by credit card. Form PTO-2038 is attached.

10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) (fee under 37 CFR 1.17(i) enclosed).

11. ☐ New Attorney Docket Number, if desired \_\_\_\_\_

[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]

12. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)

b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)

13. ☒ Other: Petition for Extension of Time

**NOTE:**

The prior application's correspondence address will carry over to this CPA  
UNLESS a new correspondence address is provided below.

**14. NEW CORRESPONDENCE ADDRESS**

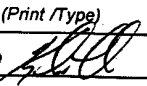
☐ Customer Number or Bar Code Label

or ☒ New correspondence address below

(Insert Customer No. or Attach bar code label here)

Name	Kevin S. Lemack				
	Niels & Lemack				
Address	176 E. Main Street				
City	Westboro	State	MA	Zip Code	01581
Country	U.S.A.	Telephone	(508, 898-1818	Fax	(508, 898-2020

**15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Kevin S. Lemack
Signature	
Registration No. (Attorney/Agent)	32,579
Date	August 27, 2002